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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,033	10/11/2000	William P. Chiles	MS154755.1	5914

27195 7590 04/08/2004

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EXAMINER

GROSS, KENNETH A

ART UNIT PAPER NUMBER

2122

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/686,033

Applicant(s)

CHILES ET AL.

Examiner

Kenneth A Gross

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,6,8-13 and 22-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,8-13 and 22-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed on January 15th, 2004.
2. Claims 32-34 are rejected under 35 USC 102(e). Claims 1, 5, 6, 8-13, and 22-31 are rejected under 35 USC 103(a).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 32-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawachi et al. (U.S. Patent Number 6,690,981).

In regard to Claim 32, Kawachi teaches: (a) retrieving a code model object from a code model and (c) incorporating the code model object into the program project (Column 2, lines 63-65); (b) interacting with the code model object to specify a semantic element (Column 3, lines 21-24); and the code model mapping the code model object to the correct syntax for a particular computer programming language associated with the semantic element (Column 3, lines 31-34).

In regard to Claim 33, Kawachi teaches that the semantic element is a function (Column 3, lines 21-24).

In regard to Claim 34, Kawachi teaches modifying the code model mapping (Column 3, lines 21-30).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 5, 6, 8-13, and 22-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over by McInerney et al. (U.S. Patent Number 5,325,533) in view of Conner et al. (U.S. Patent Number 5,428,792).

In regard to Claim 1, McInerney teaches a plurality of objects associated with a code model that encapsulate the semantic elements of a programming language (Column 3, lines 7-13). McInerney does not teach that the code model encapsulates a plurality of programming languages and provides a language neutral interface thereto that insulates a programmer from unique syntaxes associated with the plurality of programming languages. Conner, however, does teach encapsulating a plurality of programming languages and a language neutral interface (Column 2, lines 3-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to build a system comprising a plurality of objects associated with a code model that encapsulate the semantic elements of a programming language, as taught by McInerney, further the code model encapsulates a plurality of programming languages and provides a language neutral interface thereto that insulates a programmer from unique syntaxes associated with the plurality of programming languages, as taught by Conner, since this allows

building programs without the need for the programmer to understand the syntax of specific languages.

In regard to Claims 5, 6, 8-13 and 23-31 as rejected by McInerney, for logic behind the rejections of limitations of Claims 5, 6, 8-13 and 23-31, see the office action mailed on August 15th, 2003 (Note that Claims 5, 6, and 8 have been amended to fix dependency issues related to the canceling of Claim 4 and Claims 5, 11, and 24 have been amended to fix certain 35 USC 112 2nd paragraph issues as well as minor claim informalities, and the scope of the claims has not been changed).

In regard to Claim 22, McInerney teaches a code model associated with a plurality of code model objects (Column 8, lines 6-21), a programmatic interface to interact with programming languages as a semantic level (Column 3, lines 7-13 and Column 20, lines 55-67). The interface is graphical, and provides isolation from the programming language through component objects that can be configured graphically. The interface provides a graphical window in which to edit a programming language, which allows for interaction of a programming language at a syntactic level (Figure 16). McInerney does not teach that the interface performs the interaction in a language neutral manner. Connor, however, does teach an interface, which allows for interaction with a programming language in a language neutral manner (Column 2, lines 3-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to build a system, including a code model associated with a plurality of code model objects and a programmatic interface to interact with programming languages as a semantic level, as taught by McInerney, where the interaction is done in a

language neutral manner, as taught by Connor, since this allows building programs without the need for the programmer to understand the syntax of specific languages..

7. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Kawachi et al. (U.S. Patent Number 6,690,981) in view of McInerney et al. (U.S. Patent Number 5,325,533).

In regard to Claim 35, Kawachi teaches the method of Claim 34, but does not teach that code model mapping is modified using a text editor. McInerney, however, does teach modifying a code model object using a text editor (Figure 15). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to perform the method of Claim 34, as taught by Kawachi, where the code model is modified using a text editor, as taught by McInerney, since this allows more functionality in describing exactly what a code model object does.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 5, 6, 8-13, and 22-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Gross whose telephone number is (703) 305-0542. The examiner can normally be reached on Mon-Fri 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KAG



TUAN DAM
SUPERVISORY PATENT EXAMINER